

I am writing to urge you to reject the NAB's petition 04-160. It fundamentally undermines the American spirit of free enterprise. Furthermore, it stifles innovation and the growth and propagation of a BETTER service. The market is better served to determine what is best for the consumer. The consumer will vote, via their wallet and their radio dials on what they feel will best serve their needs.

The XM service is PURCHASED by its subscribers and XM should be allowed to provide service that it feels would best serve its customers.

Thank you for your attention.

David Evans